

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
9606Z-IY

Total Pages in this Submission  
3

### TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

NON-PATHOGENIC STRAINS OF HIV-I

and invented by:

Nicholas J. Deacon, et al.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ **C ntinuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/477,464

Which is a:

☐ **Continuation** ☐ **Divisional** ☒ **Continuation-in-part (CIP)** of prior application No.: 08/388,353

Which is a:

☐ **C ntinuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.:

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 395 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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### Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal                      Number of Sheets 101
- b. ☐ Informal                      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy)                      ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☐ With Power of Attorney                      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

### Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449                      ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class                      ☒ Express Mail (Specify Label No.): EM469617181US

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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9606Z-IY

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## Acc mpanying Application Parts (C ntinu d)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Additional Enclosures (please identify below):

Request to Use Computer Readable Form of Sequence Listing from Another Application under 37 C.F.R. 1.821(e)

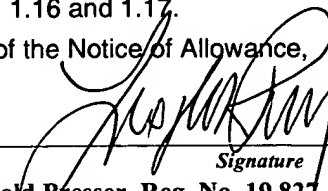
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	138	- 20 =	118	x \$22.00	\$2,596.00
Ind p. Claims	22	- 3 =	19	x \$82.00	\$1,558.00
Multipl Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$270.00
BASIC FEE					\$790.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$5,214.00

- ☒ A check in the amount of \$5,214.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013SSMP as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: September 3, 1998

  
Signature  
Leopold Presser, Reg. No. 19,827  
Scully, Scott, urphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Nicholas J. Deacon, et al.

Docket No.

9606Z-IY

Serial No.  
unassignedFiling Date  
herewithExaminer  
Jeffrey S. Parkin Ph.D.Group Art Unit  
1648

Invention: NON-PATHOGENIC STRAINS OF HIV-I

jc540 U.S. PTO  
09/14/98  
09/03/98I hereby certify that this Continuation Patent Application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on September 3, 1998  
(Date)

Karen DeSalvo

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

EM469617181US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  
(Large Entity)**

Docket No.  
9606Z-1

In Re Application Of: Nicholas J. Deacon, et al.

Serial No.  
08/477,464

Filing Date  
June 7, 1995

Examiner  
J. Parkin

Group Art Unit  
1648

Invention: NON-PATHOGENIC STRAINS OF HIV-1

jc540 U.S. PTO  
09/146783  
09/03/98

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of March 3, 1998 above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: June 3, 1998  
*Date*

until: September 3, 1998  
*Date*

The fee for the extension of time is \$950 and is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.  
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1013/SSMP  
A duplicate copy of this sheet is enclosed.  
☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP  
A duplicate copy of this sheet is enclosed.

Ann R. Pokalsky  
*Signature*

Ann R. Pokalsky  
Registration No. 34,697

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516)742-4343

Dated: September 3, 1998

I certify that this document and fee is being deposited on Sept. 3, 1998 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Ann R. Pokalsky  
*Signature of Person Mailing Correspondence*

Ann R. Pokalsky

*Typed or Printed Name of Person Mailing Correspondence*

CC:

- COPY -